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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/331,756 08/23/99 ARAS

M 888-29

EXAMINER

TM02/1116

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ART UNIT

PAPER NUMBER

2611

DATE MAILED:

11/16/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

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# Office Action Summary

Application No.

09/331,756

Applicant(s)

ARAS, MEHMET R.

Examiner

Hai Tran

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 12-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_.

***Response to Arguments***

Applicant's arguments with respect to claims 2-11 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- 102(e)  
1. Claim 12 rejected under 35 U.S.C. ~~102(b)~~ as being anticipated by Hendricks et al. (US 5682195).

Regarding claim 12, Hendricks discloses a television broadcast method comprising:

Transmitting composite television regular program signals from a central site to a plural remote broadcast transmission sites from broadcast re-transmission therefrom (Fig.1 and 2).

Generating control signals and alternate program data separately for each of the remote transmission sites at the central site and also transmitting the control signals and alternate program data to the plural remote sites simultaneously with and as a part of the composite television program signals and via at least one auxiliary bi-directional digital signal communication link (Col.20, lines 35-65).

Coordinating error correction of the control signals and alternate program data via the auxiliary bi-directional digital signal communication link (Col.14, lines 12-18; Col.Col.17, lines 14-30; and Col.18, lines 1-20).

Remotely controlling each of the remote broadcast transmission sites from the central site via the control signals so as to selectively (Col.13, lines 21-25):

Interrupt the broadcast re-transmission while transmitting respectively corresponding alternate program signals locally generated from the control signals and/or alternate program data (Col.22, lines 10-38); and

Overlaying (masked) or compositing the broadcast re-transmission with alternate program signals locally generated from the control signal and/or alternate program data (Col.22, lines 39-64).

Regarding claim 13, Hendricks further discloses wherein the control signals and/or alternate program data are automatically converted locally at a remote transmitter site to at least one of video graphics, footer, frame and animation using at least one of a remotely controlled decoder, inserter, hard disk and CD-Rom recorder/reader (Col.22, lines 39-64).

Regarding claim 14, Hendricks further discloses producing at least some of the auxiliary video signals at a continuity studio, and sending alphanumeric image data to a selected number of remote sites through modem/telephone networks or satellite data link (Fig.2 and 4; Col.7, lines 40 - Col.8, lines 42).

Regarding claim 16, Hendricks further discloses controlling and verifying whether the data and video signals present at the control site and sent to the remote stations have been received correctly and whether corresponding locally generated video has been received broadcast (Fig.9a,b; 10a,b,c and 12; Col.20, lines 36-Col.22).

Regarding claim 17, Hendricks further discloses wherein the controlling activity is effected through a modem connected to a telecommunication networks (Fig.4, Col.11, and lines 25-33).

Regarding claim 19, Hendricks further discloses from the central site managing and controlling the remote site (Fig.11):

Functions (Col.20, lines 46-50).

Video switching between general or modified/differentiated transmissions to a corresponding broadcast area from a storage medium for still or moving character and/or image data to a display producing area and connected in various form with a chosen transmission (Col.20, lines 50- Col.21, lines 50).

Reports the results of a control process to a central site continuity studio (Col.18, lines 1-10) and

Starts, stops, changes or differentiates one or more processes according to commands superimposed on the transmission of composite television regular program signal (Col.18, lines 10-48).

Regarding claim 20, Hendricks further discloses querying data comprising operation and error reports sent to a central site continuity studio and also investigating when desired, the remote station operational information from the central site continuity studio, through modem/telephone network and/or satellite datalink which produces an operation report and sends it to the central site continuity studio (Col.13, lines 21-30; Col17, lines 42-Col.18, lines 61).

Regarding claim 21, see analysis of claims12, 13, 14, 16 and 18.

Regarding apparatus claim 22, see method claim 12.

Regarding apparatus claim 23, see method claim 13.

Regarding apparatus claim 24, see method claim 14.

Regarding apparatus claim 26, see method claim 16.

Regarding apparatus claim 27, see method claim 17.

Regarding apparatus claim 29, see method claim 19.

Regarding apparatus claim 30, see method claim 20.

Regarding apparatus claim 31, see method claim 21.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks et al. (US 5682195) in view of Hendricks et al. (US 5990927).

Regarding claim 15, Hendricks (US 5682195) further discloses generating and sending command codes within broadcasting process, either automatically or semi-automatically under an operator's control (Fig.4; Col.11, lines 34-55), to remote stations.

Hendricks (US 5682195) does not specifically disclose that generating and sending command codes within broadcasting process during blanking intervals of

the composite television signals; However, Hendricks (US 5990927) discloses that generating and sending command codes within broadcasting process during blanking intervals of the composite television signals (Col.26, lines 64- Col.27, lines 10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to generate commands code into the VBI of the TV signal, as suggested by Hendricks (US 5990927) in order to offer users additional interactive information services which users could engage textual interactivity with the current TV program using an overlay menu, see Col.27 lines 1-5.

Regarding claim 18, Hendricks further discloses wherein a decoder at each remote site extracts, decodes and transfers commands coming through teletext to a computer at the remote site (US 5682195, Fig.7, Col. 15, lines 2-26 and Col.22, lines 39-51 And Hendricks (US 5990927) Col.27, lines 11-20).

Regarding apparatus claim 25, see method claim 15.

Regarding apparatus claim 28, see method claim 18.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hendricks et al. (US 5990927) shows advanced set top terminal for cable television delivery systems.

Hendricks et al. (US 5600573) shows operations center with video storage for a television program packaging and delivery system.

Thomas et al. (US 5666645) shows data management and distribution system and method for an electronic television program guide.

Campbell et al. (US 4862268) shows addressable cable television control system with video format data transmission.

Hoarty et al. (US 6034678) shows cable television system with remote interactive processor.



**Contact Fax Information**

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or Faxed to:**

(703) 308-9051, (for formal communication intended for entry)

**or:**

(703) 308-5399, (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121  
Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is (703) 308-7372. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-5399.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.



**ANDREW FAILE  
SUPERVISORY PATENT EXAMINER  
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